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Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

50 D STREET, SUITE 200, SANTA ROSA, CA 95404

PHONE: (707) 576-2145 / FAX: (707) 576-2722

INTERNET ADDRESS: www.cdph.ca.gov



EDMUND G. BROWN JR.
Governor

October 8, 2013

Adrienne Moore, City Manager
City of Willits
111 East Commercial Street
Willits, CA 95490

Dear Ms. Moore:

Enclosed is a citation issued to the City of Willits (Water System). The citation is being issued because the Water System failed to comply with the maximum contaminant level (MCL) for a disinfection byproduct, as specified in Section 64533, Title 22 of the California Code of Regulations during the 2nd Quarter 2013.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance. The Further Enforcement Action section describes penalties that may be assessed for failure to comply with the Citation. No civil penalty is levied in the enclosed citation.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact our office at (707) 576-2145.

Sincerely,

Michelle Floyd Frederick, P.E.
District Engineer
Mendocino District

Enclosure: Citation No. 02-03-13C016-2310004-02

c: Mendocino County Environmental Health

2310004/Compliance File-4/02-03-13C016-2310004-02.docx/AJ

1 **Citation No.** 02-03-13C016-2310004-02

2
3 STATE OF CALIFORNIA

4 DEPARTMENT OF PUBLIC HEALTH

5
6 **Public Water System:** City of Willits

7 **Water System No.:** 2310004

8 **Issue Date:** October 8, 2013

9
10 **To:** City of Willits
11 111 East Commercial Street
12 Willits, CA 95490

13
14 **CITATION FOR NON-COMPLIANCE**

15 **Section 64533, Title 22, California Code of Regulations**

16 **Maximum Contaminant Level – Disinfection Byproduct**

17 **Running Annual Average 2nd Quarter 2013**

18
19 Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the California
20 Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to
21 comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any
22 regulation, permit or order issued thereunder.

23
24 The Division of Drinking Water and Environmental Management of the California
25 Department of Public Health (Department) hereby issues a citation to City of Willits
26 (System) for failure to comply with Title 22, California Code of Regulations (CCR)
27 Section 64533.

APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

- (a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

1
2 California Code of Regulations (CCR), Section 64533 states in relevant part:

3 Using the monitoring and calculations methods specified in sections 64534,
4 64534.2, 64535 and 64535.2, the primary maximum contaminant level (MCL)
5 for the disinfection byproducts shown in Table 64533-A shall not be exceeded
6 in drinking water supplied to the public.

7
8 Table 64533-A states in relevant part:

9 Table 64533-A

10 MCLs and Detection Limits for Purposes of Reporting Disinfection Byproducts

11 Disinfection Byproduct	Maximum Contaminant Level (mg/L)
12 Total trihalomethanes (TTHM)	0.080
13 Haloacetic acids (five) (HAA5)	0.060

14

15 **STATEMENT OF FACTS**

16 The Department has received laboratory results for quarterly TTHM and HAA5
17 samples ending the 2nd Quarter 2013 from the City of Willits public water system
18 (System). The Department allowed a sample from July 1, 2013 to be included in the
19 2nd Quarter 2013 monitoring set. The running annual average for TTHM and HAA5
20 concentrations from the last four quarters, ending with the 2nd Quarter 2013, for City
21 of Willits was 0.075 mg/L and 0.065 mg/L, respectively.

22
23 **DETERMINATIONS**

24 The Department determined that City of Willits failed to comply with the MCL(s) for
25 the HAA5 running annual average(s) in the 2nd Quarter 2013, a violation of Section
26 64533, Title 22 of the CCR. The Department hereby issues Citation No. 02-03-
27 13C016-2310004-02 to City of Willits for failure to comply with Section 64533.

DIRECTIVES

City of Willits is hereby directed to take the following actions:

1. Comply with Section 64533, Title 22 of the CCR in all future monitoring periods.
2. Notify all persons served by the System of the disinfection byproduct MCL violation(s) in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. Notification must be completed in accordance with each of the following:
 - a. Completion of Attachment A to include the name, address and telephone number of a System official as a source of additional information concerning the public notice. Any deviations from the language contained in Attachment A requires prior approval from the Department. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the System to prevent this violation from occurring in the future. You must use the space provided on page 2 of Attachment A for this written description.**
 - b. By mail or direct delivery of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, to each customer receiving a bill, including those that provide their drinking water to others. This notice must also be given to all other service connections which receive water from the System. This notice must be delivered to each customer/service connection by **November 8, 2013**.
 - c. By publication of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in a local newspaper. This notice must be published for one day. The publication in a local newspaper must be completed by **November 8, 2013**.

1 d. The System shall provide public notice for this violation in accordance with
2 Section 64465(c), Title 22 of the CCR. This section requires that each
3 public notice given pursuant to this article shall contain information in
4 Spanish regarding the importance of the notice, or contain a telephone
5 number or address where Spanish speaking residents may contact the
6 System to obtain a translated copy of the public notice or assistance in
7 Spanish. In addition, Section 64465(c) also requires for each non-English
8 speaking group that exceeds 1,000 residents or 10% of the residents in
9 the community (whichever is less), the public notice must contain
10 information in the appropriate language(s) regarding the importance of the
11 notice, or it must contain a telephone number or address where such
12 residents may contact the System to receive a translated copy of the
13 notice or to receive assistance in the appropriate language. The Spanish
14 language requirement is already included in the notice attached to this
15 citation, Attachment A.
16

17 3. A representative of the System shall complete the attached Certification of
18 Compliance form and return it to the Department by **November 15, 2013**. A
19 copy of the notice delivered to customers and a copy of the newspaper
20 publication must be attached to the Compliance Certification Form.
21

22 4. The public notification and Certification of Compliance requirements listed in the
23 directives above shall be performed quarterly until City of Willits is no longer in
24 violation of a disinfection byproduct maximum contaminant level. Future
25 quarterly public notifications must include the most recent data available and be
26 approved by the Department prior to distribution to City of Willits customers. The
27 public notice shall be distributed within 30 days of receiving laboratory results. A

1 copy of the public notice shall be submitted to the Department within 40 days of
2 receiving laboratory results.

3
4 5. The System shall submit a Source, Treatment and Operation Evaluation and
5 Compliance Plan by **March 1, 2014**. The Source, Treatment and Operation
6 Evaluation shall describe the potential factors that contributed to the formation of
7 the disinfection byproducts. The Compliance Plan shall describe the action(s)
8 taken by the System to minimize the production of disinfection byproducts, a
9 timeline for compliance and the monitoring frequency of various water quality
10 parameters to determine if the action is adequate to minimize the formation of
11 disinfection byproducts.

12
13 All submittals required by this Citation shall be submitted to the Department at the
14 following address:

15
16 Michelle F. Frederick, P.E., District Engineer
17 Mendocino District
18 Drinking Water Field Operations Branch
50 D Street, Suite 200
Santa Rosa, CA 95404

19
20 The Department reserves the right to make such modifications to this Citation, as it
21 deems necessary to protect public health and safety. Such modifications may be
22 issued as amendments to this Citation and shall be effective upon issuance.

23
24 **PARTIES BOUND**

25 This Citation shall apply to and be binding upon the System, its officers, directors,
26 agents, employees, contractors, successors and assignees.

1 **SEVERABILITY**

2 The directives of this Citation are severable, and the System shall comply with each
3 and every provision thereof notwithstanding the effectiveness of any provision.
4

5 **FURTHER ENFORCEMENT ACTION**

6 Division 104, Part 12, Chapter 4, (commencing with Section 116270) of the
7 California Health and Safety Code authorizes the Department to: issue additional
8 citations with assessment of penalties if the System continues to fail to correct a
9 violation identified in a citation; take action to suspend or revoke a permit that has
10 been issued to a public water system if the System has violated applicable law or
11 regulations or has a failed to comply with orders of the department; and petition the
12 superior court to take various enforcement measures against a public water system
13 that has failed to comply with orders of the department. By issuance of this Citation,
14 the Department does not waive any right to take additional or alternative
15 enforcement action against the System including, but not limited to, assessment of
16 civil penalties as authorized by law.

17
18 Michelle F. Frederick

Oct 8, 2013

19 Michelle Floyd Frederick, P.E., District Engineer
20 Mendocino District
21 Drinking Water Field Operations Branch

Date

22 **ATTACHMENTS**

23 Certified Mail No. 7012 2210 0002 1673 5997
24
25

26 2310004/Compliance-4/02-03-13C016-2310004-02/AJL
27



CERTIFICATION OF COMPLIANCE

Citation Number 02-03-13C016-2310004-02

Name of Water System: **City of Willits**

System Number: **2310004**

Certification

As required by Section 64463.4 of the California Code of Regulations, I certify that the users of the water supplied by the **City of Willits** were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period ending in the 2nd Quarter 2013. In addition, I certify that City of Willits has complied with the directives of this citation as indicated below:

Required Action	Date Completed
Public Notification – Mail or Hand Delivery by 11/8/2013*	
Public Notification – Newspaper by 11/8/2013*	

Signature of Water System Representative

Date

**Attach a copy of the notice delivered to customers and a copy of the notice published in the newspaper.*

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT BY
November 15, 2013**

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

02-03-13C016-2310004-02

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.
Para una copia de este artículo en español, por favor llame al (XXX) XXX-XXXX.

City of Willits Has Levels of Disinfection Byproducts Above Drinking Water Standards

Our water system recently violated a drinking water standard. Although **this is not an emergency**, as our customers, you have a right to know what you should do, what happened, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants. The average water sample results collected between July 1, 2012 and July 1, 2013 showed that the drinking water provided by the City of Willits had an average haloacetic acid (HAA5) concentration of 65 micrograms per liter ($\mu\text{g/L}$) in the distribution system. This is above the allowable regulatory standard, also known as the maximum contaminant level (MCL), for HAA5s of 60 $\mu\text{g/L}$.

What should I do?

- **You do not need to boil your water or take other corrective actions.** If you have specific health concerns, consult your doctor.
- This is not an emergency. If it had been, you would have been notified immediately.
- Some people who drink water containing haloacetic acids in excess of the MCL over many years may experience an increased risk of getting cancer.

What happened? What is being done?

To protect drinking water from disease-causing organisms, or pathogens, a chlorine based disinfectant is added to drinking water. However, disinfection byproducts can form when organic-rich water is disinfected. A major challenge is how to control and limit risks from pathogens and minimize disinfection byproduct formation at the same time. Disinfection byproducts tend to be highest during the warmest time of year or during periods of long detention times in storage tanks. As a result of disinfection requirements to ensure pathogens are inactivated, we have exceeded the haloacetic acid MCL. We are actively exploring treatment options and will continue to inform you

ATTACHMENT A

of our progress until the problem is resolved. Improvements may include installing a fluid mixer in one of the storage tanks and evaluating other treatment modifications (granular activated carbon addition, enhanced coagulation, booster chlorination, etc).

For more information, please call (707) 459-4990 and ask to speak with JC England, Water Plant Supervisor for the City of Willits.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- **SCHOOLS:** Must notify school employees, students, and parents (if the students are minors).
- **RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS** (including nursing homes and care facilities): Must notify tenants.
- **BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS:** Must notify employees of businesses located on the property.

This notice is being sent to you by the City of Willits in collaboration with the Department of Public Health's Drinking Water Program.

State Water System ID#: 2310004

Date distributed: October 2013